

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

FILED
11/16/23 11:04 am
CLERK
U.S. BANKRUPTCY
COURT - WDP

In re:	:	Case No.:	18-21406-GLT
	:	Chapter:	13
Matthew E. Kotok	:		
	:		
	:	Date:	11/15/2023
Debtor(s).	:	Time:	09:00

PROCEEDING MEMO

MATTER: # 79 Motion Seeking Cancellation of Various Mortgage Costs, Reallocation of Payments and Recalculation of Mortgage Principal
94 - Opposition Response filed by Elliott Community Federal Credit Union

APPEARANCES:

Debtor:	Rodney D. Shepherd, [Matthew Kotok]
Elliott Community FCU:	Maria Rossi

NOTES: [9:06]

Rossi: Elliot is going to fix the improperly applied payments. Do not feel attorneys fees necessary because Debtor did not contact Elliot before filing this motion. Hearing could have been avoided.

Court: This is a mistake that should not have happened. Maybe not necessary to award all attorney's fees, but some award is appropriate because Elliot did not comply and still has not completely resolved the matter since the motion was filed. Three hours of attorney time at \$275/hour appears appropriate under the circumstances.

OUTCOME:

1) For the reasons stated on the record, the *Motion Seeking Cancellation of Various Mortgage Costs, Reallocation of Payments and Recalculation of Mortgage Principal* [Dkt. No. 79] is continued to January 12, 2024 at 9 a.m. On or before December 15, 2023, the parties shall jointly submit under certification of counsel either: (a) a stipulation resolving the motion, or (b) a status report detailing issues that remain in dispute. [Text order].

DATED: 11/15/2023